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Not a Question of Right but of Propriety.

Few persons will dispute the justness of the ruling of Chief Judge Cullen, sustained by the unanimous vote of the High Court of Impeachment, that the four Senators challenged by Governor Sulzer's counsel could not be prevented against their wishes from acting as members of the court. The constitution establishes the qualifications of members of the High Court, and in Judge Cullen's opinion there is no constitutional requirement which makes Senators Frawley, Sanner, Ramsperger and Wagner ineligible to sit with their associates.

If these Senators had been drawn on an ordinary jury empaneled to try the Governor they could be challenged because three of them had been members of a body which recommended prosecution of the Governor and the fourth would be peculiarly benefited by the Governor's removal from office. But the analogy between a juror and a judge does not hold. The four Senators, whatever their attitude in the past toward the Sulzer charges, are constitutionally qualified judges, and can be prevented from exercising their functions only if it can be shown that they have now a direct interest in the outcome of the case.

On the legal side Judge Cullen's ruling is clear and decisive. It is significant, however, that on the moral side he took occasion to qualify it. The four challenged Senators may have a perfect right to sit as judges, if they insist upon doing so, but their sense of personal honor and official propriety should prompt them to withdraw from the case if they feel that their previous activities have prejudiced them against the defendant. The public will attach great weight to this paragraph of Judge Cullen's ruling.

I do not mean to say that if any member of the court feels that such action as he has previously taken in regard to the matters which are now to be tried, or his personal feelings toward the respondent are such as to disqualify him or to impair his ability to render a just and fair verdict, according to the oath which he has taken, that he may not appeal to the court to be excused from sitting, but that appeal must be made by himself, and must be considered solely on his application, and cannot be considered as a challenge to his qualification to sit in the court.

The public is interested in having the proceedings of the High Court of Impeachment kept free from the taint of partisan prejudice or unfairness. Senators Frawley, Sanner, Ramsperger and Wagner should therefore seriously consider whether they would not better protect their own honor as well as the honor of the court by asking to be excused from participating in the trial.

The impeachment process in this state is far from satisfactory. It would be impossible, for instance, for members of an investigating committee which had recommended impeachment to sit in the United States Senate in an impeachment trial. Judges should not have already acted as prosecutors. Although there is no constitutional bar to their doing so now at Albany, a sober regard for the reputation of the state should counsel their abstention from voting. If the Sulzer charges are fairly substantiated the court's verdict will be pretty nearly unanimous. On the other hand, it would be a great misfortune if the court's decision should turn on the votes of the four Senators to whom Chief Judge Cullen has tactfully indicated not only their technical rights but their personal and moral obligations.

Is a New York Dickens Needed?

Judge Swann, in his complaint of the overcrowding of the City Prison, calls attention for the thousandth time to the evils of the law's delay. The congestion is due, he truly says, to the form of legal procedure which prevails here and which is antiquated, cumbersome, complicated, prolix and filled with possibilities of almost interminable delay; and relief is to be had only through legislation thoroughly amending the code.

A couple of generations ago legal procedure in England was in similar respects the worst in the world. Dickens paid special attention to it in a number of his best works, putting both typical lawyers and the system in an everlasting pillory of ridicule, scorn and rebuke. Since then, and largely because of Dickens's scathing exposure of abuses, the procedure has been radically reformed, until now it is one of the best in the world.

For years complaints, protests and what not have been made against the evil here, but in spite of all it persists and even increases. Can it be that we are waiting for some American Dickens to compel the doing of the work which lawyers, judges and legislators know needs to be done, but which none of them seem able or willing to do?

A Pan-American Holiday.

If Columbus Day is to be celebrated at all as a holiday it ought to be appropriately observed. That goes without saying. There is, of course, a difference of opinion on the main issue. Some people oppose new holidays and would rather abolish some which we now have. Others would increase their number until we had at least one a month the year round.

But if there is to be another universal holiday, October 12 would seem to be a good date. For one thing, it occurs in a month which has no other holiday, and falls almost exactly midway between Labor Day, at the beginning of September, and Thanksgiving, at the end of November. For another thing, it commemorates an event which really was of supreme importance. If it had not been for the discovery of America there would have been no Fourth of July, nor Washington's Birthday, nor Thanksgiving.

Moreover, more than half of the states are already observing Columbus Day as a legal holiday, and it does not seem likely that any of them will forsake the practice. It would therefore probably be a

good thing, for the sake of uniformity, for the other states to fall in line. And if all the Latin-American countries should do the same, as some of them have already done, we should have on October 12 the most widely celebrated anniversary of that kind in the world, surpassed only by New Year's and one or two great religious festivals.

A Little Oversight.

Murphy's masters of ceremony at Albany—Senator "Jim" Frawley, Assemblyman Aaron Levy and "Packs" McCabe—have done what they could to make the great impeachment function impressive. They have tried to rise to the heights of the occasion. It is their fond hope that the Sulzer impeachment will go thundering down in history alongside the impeachments of Warren Hastings and Andrew Johnson.

In many details the masters of ceremonies have made good. But one picturesque possibility was neglected. A little more of what the stage managers call "atmosphere" could have been piled up, and the spirit of the function, so far as many of the participants in it are concerned, might have been a little more successfully illuminated, if the majors domo had only slightly increased the accommodations for distinguished visitors.

What a happy inspiration it would have been—what a delicate symbolism it would have involved—if Frawley, Levy and McCabe had only thought of setting apart a neatly whitewashed stage box for the occupancy of Justice Daniel F. Cohalan and ex-Senator Stephen J. Stilwell!

The High Cost of Charm.

Foreigners are always impressed by the charming look of the American shopgirl. She is usually pretty and always trimly dressed. The average of good dressing is undoubtedly higher in America than anywhere else in the world—and probably reaches its highest point right here on our New York streets.

That such dressing cannot be had for nothing is something that every husband can guess. It is rather startling to be told by the dressmakers of Chicago, however, that the shopgirl spends \$250 a year on her clothes. The other figures given are more credible—\$75,000 as the top expenditure of a few, \$50,000 by a hundred women of society, \$1,500 by "well dressed clubwomen" and \$275 by the stenographer. But that the shopgirl and the factory girl spend practically half of their wages in clothes is rather startling news.

We should hate to see the net amount of charm in the world reduced. But are the dressmakers of Chicago right—and, if so, is the charm worth the extravagance?

Only One Governor.

Governor Sulzer has shown good judgment in bowing to the decision of the Supreme Court in the Third Judicial District and acknowledging the suspension of his functions during the continuance of the impeachment proceedings. When Lieutenant Governor Glynn assumed power as acting Governor there was a good deal of doubt as to whether he was entitled to do so. The provisions of the constitution were indefinite and conflicting and had never been judicially interpreted.

The Tribune suggested at the time that the courts ought to be asked to pass on the question, and it is to Mr. Sulzer's credit that he not only invited Mr. Glynn to join him in presenting the issue, but that when Mr. Glynn refused he went ahead singly and carried the question into the Supreme Court by granting a pardon to Robin.

The court decided against the Governor all along the line, and there is no opportunity now left to carry the matter to the Court of Appeals. It is therefore only common sense for the Governor to accept the situation as it is and to let Mr. Glynn discharge without hindrance the duties which, according to Justice Hasbrouck's ruling, have devolved on the Lieutenant Governor *ad interim*. Orderly procedure requires that the state shall have but one head at a time. Mr. Sulzer's recession has happily terminated the spectacle of civil disruption at Albany which has offended public opinion here and discredited New York in the eyes of the country.

To Run or Not to Run Is Huerta's Question.

The announcement that General Felix Diaz has been recalled to Mexico and that he is likely to receive the support of the provisional government in his campaign for the Presidency strengthens the expectation that General Huerta himself will not be a candidate. It may not be expedient for a proclamation to that effect to be made at the Mexican capital. The essential thing is that there shall in fact be no such candidacy.

There is the more reason for expecting General Huerta not to run because every day makes it the more difficult for him to do so without the most obvious trickery. We have it on his own—or his Foreign Minister's—authority that he cannot constitutionally run if he retains his present place as provisional President. But the date of the election is now getting near at hand. He might have qualified for election by retiring from the provisional Presidency some time ago. To do that at the eleventh hour would be too palpable a trick for evading the constitution. It would alienate the better classes of Mexicans and would disgust the rest of the world.

Either way the election went General Huerta would be the loser. If he were beaten, he would be humiliated and his future in Mexican politics would be blighted. If he were elected, he would suffer the odium of having won by means of a trick, at the expense of the plain meaning of the constitution. We must assume him to be a man of discretion and foresight, to whom these considerations are obvious. Doubtless he wants to "save his face" in Mexico, and to that end he may refrain from doing what would seem like yielding to American dictation while precisely the same end can be attained in another way.

A New Type of Railroad Director.

The election of President Hadley of Yale University to the directorate of the New York, New Haven & Hartford Railroad ranks by the side of the dismissal of Mr. Mellen from the presidency as one of the most refreshing and hopeful incidents in the recent history of that corporation. In some respects it is the more significant of the two, since it means not merely the abandonment of an abuse but also the adoption of a new, positive and aggressive policy under which a recurrence of Mellenism should be impossible.

The significance of it is not confined, either, to that one railroad system. A new type of railroad director is presented, which other roads cannot ignore. Nobody can challenge the commanding fitness of the type any more than of the individual. Dr.

Hadley has for many years been recognized as one of the foremost authorities on railroads in all their aspects. And he is not the only man outside of Wall Street, or in a university chair, who is competent to be a railroad director.

If more men of the Hadley type are brought into the directorates of railroads we shall see those corporations conducted more for the sake of their own legitimate work and less for the promotion of extraneous interests. Dr. Hadley's conception of a railroad is that of a transportation line, serving as a common carrier the industrial and economic needs of the public, and not that of a mere stalking horse for transactions in speculative "high finance." The fulfillment of that conception is perhaps to-day the greatest need of a large proportion of American railroads.

Waldo is to be a mere figurehead. And Mr. Waldo is such a sensitive young man!

Oregon reports a top hop crop, and the shade of Peter Piper, who picked a peck of pickled peppers, sits up in the Elysian Fields and takes notice.

A New Jersey convention has been discussing the question whether nagging by their wives drives men to drink, or drinking by their husbands causes women to nag. The answer is easy: Both!

THE TALK OF THE DAY.

Not many people realize that there is now going on in New York one of the most unusual departures in building construction ever attempted. The twelve story building of the Consolidated Gas Company now being erected at 15th street and Irving Place has six stories that are practically soaring in midair without foundation. "The Engineering News" explains the phenomenon as follows: "As the old building is not strong enough to bear this additional weight, it was decided to suspend six of the seven additional stories from heavy girders in the roof of the addition, the girders themselves being supported on steel columns 250 feet high, reaching to the ground, alongside the old building. The seventh additional story rests on the girders."

"What was the result of that investigation?" "Which one?" asked Mr. Dustin Stax. "The inquiry in which you kept saying you knew nothing about the matter."

"I am consistent to the close. I don't feel quite clear as to what the result was."—Washington Star.

Never again will I rail at the New York subway guards," said a teacher who had just returned from Paris. "They are models of courtesy compared with the French variety, who have no consideration whatever for the comfort or safety of passengers. Getting out of a subway train there is as exciting as a home run on a baseball field. Unless you are near the door it is utterly impossible, for the guard will slam the door in your face and laugh at your discomfort. One day I passed my station three times, riding back and forth, before I was able to make my escape, and to cap the climax, after struggling bravely to frame a sentence in French wherein to voice my displeasure, the guard called out, with a grin, to his companion on the other side: 'She wants to know where she's going.'"

The Stenographer—What is wrong, Mrs. Grimbatte? Mrs. Grimbatte—You've spelled Henry with a capital H. Don't you know that Henry is a mere man's name?—Chicago News.

One by one the illusions of life are shattered. Who has not heard of the gondoliers of Venice—the sweet singers whose voices are wafted across the waters as they guide their graceful craft through the canals of the streetless city? "I used to think how poetical it was," said a returned traveler, "but I found the real reason for their singing was a very practical one. Venice has absolutely no sanitary regulations, and the little canals are just so many sewers into which is dumped all the garbage from the houses. There is no system of plumbing, and the refuse is simply thrown from the windows, so unless you let the householder know you are passing by you are apt to get a douche of dirty water or garbage."

"I wonder if I ought to send my wife and daughters to see your play," said the conservative man. "Why do you ask such a question?" rejoined the indignant manager. "So many people are going to see it I was afraid it might not be altogether proper."—Washington Star.

OVERLOOKED.



COHALAN AND STILWELL—We should have had reserved seats.

THE PEOPLE'S COLUMN

An Open Forum for Public Debate.

THE TRIBUNE AND 'THE LURE'

A Reader Shows That Our Position Has Been Misunderstood.

To the Editor of The Tribune:
Sir: I am a daily and careful reader of your paper, and have been considerably perplexed by James F. Morton, Jr.'s letter in this morning's issue. He seems to labor under the misapprehension that The Tribune was one of the papers that demanded the suppression of "The Lure." Or, am I wrong, and did you take that course?

My recollection is that you objected to the play because the author had not the courage of his conviction, and fitted a happy ending to a horror of underworld life whose real end is, in the mask, exactly the opposite. As I see it, Mr. Morton has got your editorial department and your correspondence column mixed. He confuses you with the Rev. James B. Curry, who can form "a comprehensive and decided judgment concerning a play he has not seen."

As for your review of "Madam President," I learn from it that the farce has a local French meaning as political satire; that it is improper; that it is funny, and a statement of fact "without comment"—that it is likely to be a success here. In other words, I know all about it that is needed to decide whether I will go to see it or not. If I hold that laughter is an excuse for impropriety, I will go; if the reverse, I will stay away. If I am interested in French dramatic satire as it is practiced at the present time I will go anyway. Mr. Morton holds that you, confusing you again with the Rev. Mr. Curry, must call for the suppression of "Madam President" because you called for the suppression of "The Lure," which you did not do.

Mr. Morton, in other words, is very much confused himself and confusing to others. And by the way, has Mr. Morton seen "Madam President," or is he following in the Rev. Mr. Curry's footsteps? I agree with him on the subject of the undecidability of a censorship, especially a Tammany Hall police censorship. I agree with him also on the subject of the potential good that plays like "The Lure" may do. Above all, I agree with you that such plays will achieve what their authors claim to aim at only when they expose the traffic from beginning to end.

CAREFUL READER.
New York, Sept. 19, 1913.

SULZER AND TAMMANY

The Less of Two Evils To Be Preferred.

To the Editor of The Tribune:
Sir: "The New York Times" leader of to-day, in answering the Rev. Dr. Parkhurst for his censuring that daily on account of its attitude toward the impeachment of Governor Sulzer, puts the three following questions: 1. Is there any way to combat Tammany's faults? 2. Because Murphy is known to be a sinner, must the Sulzer transgressions be overlooked? 3. Would there be no moral harm in suppressing the impeachment charges because of the need of belaboring Tammany?

Here is the reply: A suppression of the impeachment proceedings would by no means amount to the condoning of Sulzer's faults, if any. Should there be sufficient evidence to show that Governor Sulzer did commit a statutory wrong, proceedings could be regularly instituted and the matter judicially disposed of by due process of law. The sustenance of the impeachment, however, would, on the other hand, mean a victory for Tammany and the sanction of all the dark and devious methods it has employed, both in this particular instance and in general, to continue its plottings against good government. If Tammany is to be combated at all, the compassing of its defeat in its present conspiracy is the best and nearest opportunity to do so.

Even granted that Governor Sulzer is guilty as charged, the people of the State of New York would now be placed before the alternative of choosing between two evils. Whether the prevalence of Tam-

many politics, at whose very doors also the self-same alleged wrongs of Governor Sulzer must, in ultima ratione, be laid, or the albeit temporary vindication of the Governor in return for his present courageous stand against those sinister influences, is the lesser or the greater evil, no devious and true citizen will hesitate to decide in favor of the Governor and against Tammany.
ADAM ROSENBERG.
New York, Sept. 18, 1913.

IT'S MEAN TO BE DIGNIFIED

But Truly American to Turn Flap!

To the Editor of The Tribune:

Sir: The Tribune's venomous attacks on William J. Bryan because he delivers Chautauqua lectures are a fine example of the hopeless provincialism of New York City journalism. You seem to be incapable of getting the point of view of the average American outside of New York. You say that Mr. Bryan has no right to make an ass of the country by appearing on the same bill with yodelers and other entertainers. How does it lower Mr. Bryan or reflect on the office of Secretary of State to address the same audiences as these entertainers do?

The simple truth is that the ordinary citizen glories in the democracy of so distinguished an American when he speaks under these circumstances. He knows these entertainers are respectable and marvels at the snobbery and narrowness which frown upon it or seek to place a halo on the head of a high official.

As to the sordid habit of accepting pay for lectures, perhaps it would please New Yorkers better if Mr. Bryan were to gamble in Wall Street.
J. M.
Catskill, N. Y., Sept. 18, 1913.

GIVE MILITANTS A HEARING

So That We May Know Why They Are Militants.

To the Editor of The Tribune:

Sir: Those who are not committed to either side of the suffrage question hope sincerely that Mrs. Pankhurst will be allowed to come to New York without hindrance, and be given the opportunity to explain what the conditions are in England, which warrant militancy, and why there is so much acrimony displayed there in discussions of the question pro and con.

No other nation is so stirred up about it. Holland has just granted suffrage to the women of that country in an apparently matter of course way. Paris has recently given municipal suffrage to its women and other Continental municipalities have done the same thing. The Norwegian women have had the vote for some time. Nowhere has so much opposition been encountered as in England. Why is it?

At a recent house party given by Lord Derby at Knowles Hall, during the visit there of the King and Queen, Lady Mar and Kellie, who is a strong though non-militant suffragette, got into such an exceedingly warm argument on the subject with the Queen that she was advised that she had better make her adieu as quickly as possible.

One infers from this that she got the better of the argument; at any rate, it doesn't seem quite fair. The Queen may be as "antl" as she pleases, but she stands by herself—she is exempted from taxation—and she rules. It is said England is ruled in this order: By the King, Lord Rosebery and the Queen. But those best informed say the trinity should read "the Queen, Lord Rosebery and the King." England doesn't mind. It is used to being ruled by a woman.

The "antl" in England have been claiming that female suffrage was a failure in California. So a letter of inquiry signed by the Duchess of Bedford, the Marchioness of Salisbury, Countess Waldgrave, Lady Balfour, Lady Willoughby de Broke, the Countess of Shelborne, Miss Violet Markham, Lord Haldane's daughter, and Miss Balfour, accompanied by a note of approval from the Arch-

bishop of Canterbury, was sent to Bishop William Hill Moreland, of the Sacramento diocese, asking for information. In his reply Bishop Moreland wrote that suffrage had brought about a better Legislature.

The Duchess of Bedford is one of many women in England who will not pay their taxes. They are emulating those two ancient maiden ladies of Connecticut of the last century, one of whose cows was taken every year by the town authorities and sold for the taxes they wouldn't pay. Both parties were content, the town got the taxes and the maiden sisters had the satisfaction of the protest.

But all partisans of the suffrage question here would like to know why the feeling is so bitter in England since the advent of Mary III and George V to the throne.

We have bitter partisans here—for instance, those two dear fire-eaters, Senator Tillman and Representative Hedlin—but no one seems to mind them; they only add to the gaiety of nations because they are such extremists in everything. But we who are on the fence are anxious to know why there are so many extremists among the "nobby" people of England, who one would suppose had about every worldly advantage, and therefore would not be so anxious to have the privilege of voting.

Perhaps Mrs. Pankhurst can explain the conditions there that are so exasperating that they lead women to make martyrs of themselves.

HENRIETTA M. NOBLE.
Jenkintown, Penn., Sept. 18, 1913.

THE OFFENSIVE SWEAR-WORD

Why Not Use the Beautiful Words Instead?

To the Editor The Tribune:

Sir: In our daily intercourse we are too often reluctantly compelled to listen to objectionable words and phrases, uttered by all kinds of men, which are likely to have a detrimental effect on the rising generation, because they are quick to imitate their elders.

There may be diverse opinions as to what constitutes swearing or profanity, but whatever words may be included in the category of swearing, it is a matter of no little surprise that blasphemous and offensive words are so often used, when we remind ourselves of the richness and variety of words in the English language, seeing that there are 450,000 words at our command, according to the latest estimate.

Would it not be beneficial to infuse into the minds of the people a marked disgust for these offensive utterances and to cherish a love of the beautiful in the choice of words?

We should not expect "the man in the street" to evince the philosophical attitude of Marcus Aurelius or the patience of Job when the conditions around us are irritating and annoying, but however exasperating the circumstances may be, to resort to profane or blasphemous language does not help us in any way, nor does it relieve our feelings, as some people suppose, but it consumes the energy which we require for our daily duties.

While it is not to be expected that every one has the "copla verborum" of a college professor, it is within the power of all of us to avoid using words or phrases which would be offensive to any member of the community of which we form a part.

Surely it is high time that public opinion displayed its disapproval of the too prevalent habit of using profane language.
EDGAR L. BLACKHAM.
Brooklyn, Sept. 13, 1913.

WITHIN HIS MEANS.

From The Boston Transcript.
The only member of the diplomatic corps who seems to be untroubled by the high cost of living abroad is our envoy to Madagascar, where a nice, cozy straw-thatched apartment may be rented for two strings of beads per annum.

CHRONIC.

From The Philadelphia Inquirer.
All the same, Mr. Bryan seems to have an especially virulent case of "dollar diplomacy."